

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROBERT GALLEGOS, SR., No. CIV-S-04-2741 MCE/GGH P

Petitioner,

v.

ORDER

TOM CAREY, ET AL.,

Respondent.

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On August 16, 2005, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days.

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1 Neither party has filed objections to the findings and
2 recommendations.

3 The court has reviewed the file and finds the findings and
4 recommendations to be supported by the record and by the
5 magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED
6 that:

7 1. The findings and recommendations filed August 16, 2005,
8 are adopted in full;

9 2. Further proceedings in this case are stayed pending the
10 California Supreme Court's resolution of the petition for writ of
11 habeas corpus filed by petitioner in Case No. S136199; and

12 3. This stay will remain in effect until 30 days following
13 the entry of a final order by the California Supreme Court in
14 Case No. S136199.

15 DATED: October 14, 2005

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MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE